

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

CURTIS L. SMITH, : CIVIL ACTION NO. 3:12-cv-524
: :
Plaintiff : (Judge Nealon)
: :
v. : :
: :
CHARLES E. SAMUELS, JR., ET AL., : :
: :
Defendants : :
: :

ORDER

NOW, THIS 12th DAY OF SEPTEMBER, 2013, in accordance with the Memorandum issued this date, **IT IS HEREBY ORDERED THAT:**

1. Defendants' dispositive motion, (Doc. 25), is construed as solely seeking summary judgment;
2. Summary judgment is **GRANTED** in favor of Defendants BOP, Jerome Combs Detention Center and Kanakee County Detention Center in Kanakee County, Illinois, FCI-Allenwood, and FCI-Elkton on the grounds that they are not properly named Defendants;
3. BOP Director Samuels is **GRANTED** summary judgment on the basis of lack of personal involvement;
4. Summary judgment is **GRANTED** in favor of all remaining Defendants for failure of Plaintiff to exhaust administrative remedies;
5. The Clerk of Court is directed to **CLOSE** the case;
6. Any appeal from this Order will be deemed frivolous, without probable cause, and not taken in good faith.

FILED
SCRANTON
SEP 12 2013

PER M. E. J.
DEPUTY CLERK

W. Neal Nealon
United States District Judge